

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG RANGE PLANNING

Call to Order: By **CHAIRMAN MATT MCCANN**, on February 19, 2001 at 8:40 A.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Matt McCann, Chairman (D)
Sen. Tom A. Beck (R)
Rep. Dave Kasten (R)
Sen. Jon Tester (D)
Rep. Steve Vick (R)

Members Excused: Sen. Bob Keenan, Vice Chairman (R)

Members Absent: None.

Staff Present: Jane Hamman, OBPP
Andrea Hyatt, Committee Secretary
Brian McCullough, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted:
Executive Action: HB 5; HB 14

CHAIRMAN MCCANN opened the meeting with an explanation as to the order of the bills, first reviewing the ones that were strictly within HB 5; then later they would review the projects that were in both HB 5 and 14 and those only in HB 14. He then entertained a motion to pass HB 5.

Motion/Vote: **REP. VICK** moved **TO OPEN HB 5 BE ADOPTED**. Motion carried unanimously.

EXECUTIVE ACTION ON HB 5

CHAIRMAN MCCANN then proceeded through HB 5, reviewing each project and asking the committee to question the ones of interest.

{Tape : 1; Side : A; Approx. Time Counter : 89}

Discussion: HB 5, Museum Study Design, Pg. 1, Line 29. **REP. KASTEN** questioned the funding. **Jane Hamman, OBPP**, provided background information. **CHAIRMAN MCCANN** stated that there is contingency language located on page 3, line 21. **CHAIRMAN MCCANN** made a motion to cut the funding. **SEN. BECK** questioned the revenue source and amount. **Brian McCullough, LFD**, provided further information.

{Tape : 1; Side : A; Approx. Time Counter : 100}

Motion/Vote: **REP. MCCANN** moved **TO CUT THE HB 5 MUSEUM STUDY DESIGN DOWN TO \$500,000.00 BE ADOPTED AS AMENDED**. Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 144}

Discussion: HB 5, Capitol Complex Land Acquisition, Pg. 1, Line 30. **REP. VICK** questioned the project and funding source. **CHAIRMAN MCCANN** and **Jane Hamman** responded.

Note: **The amendments' number is located in the lower right hand corner of the exhibit.**

Discussion: HB 5, New Female Dormitory Wing at Boot Camp, TSCTC, Pg. 2, Lines 2/3. An amendment was provided, #501, **EXHIBIT (j1h41a01)** The purpose is to strike the New Female Dormitory Wing at Boot Camp.

Motion/Vote: **SEN. BECK** moved that **AMENDMENT #501 BE ADOPTED AS AMENDED**. Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 160}

Discussion: HB 5, Department of Military Affairs Construct New Dillon Armory, Pg. 2, Lines 8 and 9. **REP. KASTEN** questioned if there was more funding involved than listed here. **Brian McCullough, LFD**, referred the committee to amendment #510 regarding the New Kalispell Armory and explained its purpose. **CHAIRMAN MCCANN** requested **Ralph DeCunzo, Department of Military Affairs**, to respond. **Mr. DeCunzo** responded it was connected to HB 14. **REP.**

KASTEN questioned the Operation & Maintenance (O&M). **Ralph DeCunzo** responded. **SEN. BECK** questioned about the relief from the old armory. **CHAIRMAN MCCANN** responded and stated that this would be addressed when the committee opened HB 14.

An amendment #510 was provided regarding the "Construct New Kalispell Armory 3,700,000 Federal Special Revenue"; which is separate from the Dillon Armory. **EXHIBIT(jlh41a02)** **REP. VICK** questioned if this had already been approved. **Jane Hamman, OBPP**, responded it was federal authority, should federal funds become available. **REP. VICK** questioned if this is added to the authority they had the last time. **Jane Hamman, OBPP**, responded yes and gave further background information. **REP. VICK** questioned the amount. **Tom O'Connell, A&E**, responded. **SEN. BECK** questioned the amount leftover in the bonding account; if it required any State match and will the State assume the O&M. **Tom O'Connell, A&E**, and **Ralph DeCunzo** responded. **CHAIRMAN MCCANN** questioned if there was an estimate on the cost of the water line. **SEN. TESTER** questioned if the cost was only \$500,000.00. **Ralph DeCunzo** responded. **REP. KASTEN** commented on the cost of O&M. **REP. VICK** questioned the cost of the well and septic system. **Ralph DeCunzo** responded. **REP. VICK** questioned if there is an agreement that once the sewer line is built and someone later hooks into it, will they get reimbursed. **Ralph DeCunzo** responded. **REP. TESTER** questioned if Kalispell could handle the sewer & water and if it is federal dollars flowing through for O&M or State dollars. **Ralph DeCunzo** responded. **CHAIRMAN MCCANN** questioned if they could use federal dollars to pay for O&M; **Ralph DeCunzo** stated no. **SEN. BECK** questioned if the city of Kalispell will require them to put in an oversize for future development and will it cost more money. **Ralph DeCunzo** stated it is possible they will, but in each past case he has been involved in, the city has paid the difference between what they had to do and what they wanted. **CHAIRMAN MCCANN** questioned if they could use the federal authority for the water and sewer. **Ralph DeCunzo** stated no; the state is responsible for the site only, the construction of the building is federal. **SEN. BECK** questioned what would happen if they didn't approve this authority.

{Tape : 1; Side : B; Approx. Time Counter : 0}

Ralph DeCunzo responded. **SEN. BECK** questioned why wasn't this in the original HB 5. **Ralph DeCunzo** responded that at the time the bill was drafted they did not have the reserves secured, but this has happened since that time. **SEN. TESTER** questioned the plans for the other two armories. **Ralph DeCunzo** stated that the last session gave them the authority to sell Whitefish and Bozeman to help retire the bonded debt. There is a HB 450 open now that would reverse that and give the facilities to the local jurisdiction.

SEN. BECK questioned what happens to the Kalispell armory. **Ralph DeCunzo** responded it reverts back to the city based on the original deed. **SEN. BECK** questioned the amount of the Whitefish and Bozeman armories that would help sell off the bonds. **Ralph DeCunzo** responded that the fiscal note on HB 450 was \$3.3 million. **CHAIRMAN MCCANN** questioned the authority given in the last session and if it was blanket or exclusive. **Jane Hamman**, responded about other state clocks that needed to be met. **Tom O'Connell** responded. **CHAIRMAN MCCANN** stated his concern on the \$1.8 million general authority and that he would like to see it restricted to water and sewer development. **Jane Hamman** stated that he could add this language. **SEN. TESTER** requested **Ralph DeCunzo** to respond to the contingency language. **Mr. DeCunzo** described in detail the need for an on-site inspector; commissioning, furniture, site improvements. **SEN. TESTER** questioned if those funds could come from a different pool and that when you combine agencies within government then it becomes a project that can be totally funded by federal dollars with the exception of water and sewer and the other items can be left out. **Ralph DeCunzo** responded. **REP. VICK** questioned why the federal money could not be used to buy furniture. **Ralph DeCunzo** responded that is because part of the building would be the State Veterans Administration Office. **SEN. VICK** questioned if the federal money will be building that office space. **Ralph DeCunzo** responded no, that \$105,000.00 is earmarked for construction of the Veterans Administration office. **CHAIRMAN MCCANN** closed the discussion and stands on his amendment.

{Tape : 1; Side : B; Approx. Time Counter : 157}

Motion/Vote: **REP. MCCANN** moved that **THE \$1.8 MILLION AUTHORITY STRICTLY BE FOR THE SEWER AND WATER PROJECT IN KALISPELL BE ADOPTED AS AMENDED.** Motion carried unanimously.

Motion: **SEN. BECK** moved to remove the \$3.7 million federal special revenue authority for the Kalispell armory.

{Tape : 1; Side : B; Approx. Time Counter : 162}

Motion/Vote: **SEN. BECK** moved **TO REMOVE \$3.7 MILLION FEDERAL SPECIAL REVENUE AUTHORITY FOR THE KALISPELL ARMORY BE ADOPTED AS AMENDED.** Motion carried 5-1 with Kasten voting no.

Discussion: HB 5, Replace Primary Power Distribution System, UM-Dillon, Pg. 2, Lines 10-12. **SEN. BECK** questioned the auxiliary funds. **CHAIRMAN MCCANN** responded. **Jane Hamman, OBPP**, clarified the auxillary fees on the projects.

{Tape : 1; Side : B; Approx. Time Counter : 200}

Discussion: HB 5, Phase II, UM-Tech Master Plan Campuses, University System, Pg. 2, Lines 17-19. An amendment was provided, #512. **EXHIBIT(jlh41a03)** The purpose is to remove the use of student fees from paying for any portion of this project and to have the focus of the study to be on existing buildings.

Motion/Vote: REP. MCCANN moved **THAT AMENDMENT #512 BE ADOPTED AS AMENDED.** Motion carried unanimously.

{Tape : 1; Side : B; Approx. Time Counter : 220}

Discussion: HB 5, Animal and Range Science Facility, MSU-Bozeman, Pg. 2, Lines 20/21. **REP. KASTEN** questioned the O&M on the facility. **Dean Sharron Quisenberry** and **Bob Lashaway, Facilities Services Director, Montana State University, Bozeman,** responded. **REP. KASTEN** suggested that the university take over the cost of the O&M. **CHAIRMAN MCCANN** responded that if we feel the program is an asset, especially to the students then we should approve the project and O&M or not approve the project. **REP. KASTEN** stated his concern for the future and the need for new buildings to be responsible for their O&M. **REP. VICK** agrees with **REP. KASTEN'S** concerns and would like to know status of other projects before deciding on this one. He is concerned about the removal of the authority for the Epicenter; this would effect how he made further decisions.

{Tape : 1; Side : B; Approx. Time Counter : 319}

Discussion: HB 5?, Epicenter, MSU-Bozeman. Pg. ?, Line ? **CHAIRMAN MCCANN** stated that the committee has discussed this and that they will deal with this conceptually. In prior discussions of the Epicenter it was the committee's consensus to request to remove the authority from MSU-Bozeman Epicenter. **CHAIRMAN MCCANN** entertained a motion for a conceptual amendment to remove the authority from MSU-Bozeman Epicenter. **REP. VICK** will make the motion but asked if **Mr. Lashaway** would like to comment. **Bob Lashaway,** stated they stand by their desire to revert the Epicenter which would free up the 50% commitment of O&M that was related to that facility. **REP. VICK** then made the motion. **SEN. BECK** questioned the amount of spending authority. **Bob Lashaway** stated the original authority was \$19 million; the balance on that is \$14½ million is reverted.

{Tape : 1; Side : B; Approx. Time Counter : 352}

Motion/Vote: REP. VICK moved **TO REMOVE THE AUTHORITY FROM THE MSU-BOZEMAN EPICENTER BE ADOPTED AS AMENDED.** Motion carried unanimously.

SEN. BECK was going to make a **motion** the universities take care of the O&M, but then **withdrew the motion**.

{Tape : 1; Side : B; Approx. Time Counter : 372}

Discussion Continued: HB 5, Animal and Range Science Facility, MSU-Bozeman, Pg. 2, Lines 20/21. **REP VICK** had further questions regarding the deferred maintenance on the experiment stations and the new Animal and Range Science Facility. **CHAIRMAN MCCANN** requested **Dean Sharron Quisenberry** to address how the funds are created to pay for the facility and how the additional funding would be spent toward the experiment stations. **Dean Quisenberry** provided details on the funding. **REP. VICK** stated that he is supportive of doing some of the maintenance on those facilities, but he doesn't believe they have the general fund money to fund **REP. LINDEEN'S** bill and he feels that if something is to be done it needs to be done either in HB 5 or HB 14. **CHAIRMAN MCCANN** informed the committee that he does have an amendment for a \$4.5 million bond in HB 14 that addresses the needs of the Experiment Stations that would sit behind any dollars that came from revenue from land sales as well as any federal dollars; both of those revenues would offset any G. O. bonding. He will offer that after the committee has reviewed HB 5 and will present it in HB 14 and that committee members can take that in to consideration when making a decision on the Animal and Range Science Facility since the revenues from the land sale will also be used to pay for that project. **CHAIRMAN MCCANN** understands that the university system, to some degree, would prefer not to build the Animal and Range Science Facility if the state does not participate in the O&M. **Bob Lashaway** confirmed that understanding.

{Tape : 1; Side : B; Approx. Time Counter : 500}

Discussion: **CHAIRMAN MCCANN** stated that with the reversion of the Epicenter, Gaines Hall has a continuing problem that needs to be addressed. An amendment was provided, #514. **EXHIBIT(jlh41a04)** The purpose of the amendment is to develop a design for renovation of Gaines Hall in lieu of the EpiCenter project. The proposal for the renovation of Gaines Hall would be brought before the next legislature.

{Tape : 2; Side : A; Approx. Time Counter : 0}

SEN. BECK questioned the location; condition and renovation plans for Gaines Hall. **Bob Lashaway** responded. **REP. VICK** clarified that this was for authority only. **CHAIRMAN MCCANN** responded yes.

{Tape : 2; Side : A; Approx. Time Counter : 18}

Motion/Vote: REP. VICK moved THAT AMENDMENT #514 BE ADOPTED AS AMENDED. Motion carried unanimously.

Discussion: HB 5, Fine Arts Museum Remodel/Upgrade, UM-Missoula, Pg. 2, Lines 23/24. CHAIRMAN MCANN stated this was authority for the Paxson Art Gallery. SEN. BECK questioned about past authority granted for the University of Montana to give up; what the spending authority would cover and the grand total of authority. Hugh Jesse, MSU, responded. Jane Hamman clarified that the testimony from the university was that they provided the committee with a list of items they are reverting the authority so that the projects would stand in their entirety and be clean and so this is \$5 million for the project. SEN. BECK questioned the amount of the reverted authority. Jane Hamman responded that it was \$2.5 million. SEN. TESTER questioned if that was addressed in the bill. CHAIRMAN MCCANN responded. SEN. TESTER questioned the difference between the reversion of the EpiCenter and this. CHAIRMAN MCCANN stated he would be more comfortable with two motions; one to remove the authority and one to approve the authority. SEN. TESTER agreed. SEN. BECK so moved. CHAIRMAN MCCANN commented that it should be understood they could lose their authorities all together.

{Tape : 2; Side : A; Approx. Time Counter : 69}

Motion/Vote: SEN. BECK moved TO REMOVE THE \$2.5 MILLION AUTHORITY FOR THE UM-PAXSON CENTER BE ADOPTED AS AMENDED. Motion carried unanimously.

CHAIRMAN MCCANN questioned if there was a motion to remove the \$5 million authority from the University of Montana. SEN. TESTER questioned if the O&M is 40/60 on a \$5 million project and how do they determine the split. Hugh Jesse, University, stated that it was a motion made within the committee during the last session. SEN. TESTER questioned if the split for the state should be lower since there will be more used for gallery space. Hugh Jesse stated they feel the split is appropriate given that the majority is an educational opportunity for students of fine arts and the gallery is a lab, as discussed in the last biennium. REP. VICK stated that there is a lot of authority for a lot of buildings and O&M funding; do they have projected figures for O&M if all the buildings would be built. Hugh Jesse this particular one would be \$89,000.00 for the 2005 biennium. REP. VICK would like to see the figures before making a decision. He believes some of them need to be removed and who should make the step to remove the authorities to build new buildings and the effect on the state paying the O&M. CHAIRMAN MCCANN shares the same concerns that this committee is obligating future legislators for these large projects. He personally has

difficulty in correlating the Paxson Gallery as an institutional instruction facility and perhaps exceeding our means.

Motion: CHAIRMAN MCCANN moved to remove the authority for the Paxson Gallery.

Discussion: He understands that they have already raised \$500,000.00 for this project. SEN. TESTER would like the university to come back with their figures on the O&M and the 60/40 split before he would vote.

Motion Withdrawn: CHAIRMAN MCCANN removed his motion and will look at those numbers when they come in.

Discussion: SEN. BECK questioned the deadline to get those figures to the committee. CHAIRMAN MCCANN stated he would leave the bill open, even beyond transmittal, because of the decisions made here and the impacts to our general fund and other funds and it would be best to have all the facts before we pass the bills. SEN. TESTER stated he would like a definite date. Hugh Jesse requested a couple days to prepare those figures. CHAIRMAN MCCANN asked if Wednesday would be enough time. Hugh Jesse said he would have them ready by then. SEN. BECK suggested that while going through this process and the vision of how the bill should look when completed and the items that need to be taken out, take them out now and then it can be re-evaluated and some items can be put back in the bill; that way everyone knows exactly where we are with this bill and can listen to the pros and cons. He suggested that CHAIRMAN MCCANN reconsider his motion. CHAIRMAN MCCANN offered SEN. BECK to make the motion.

Motion: SEN. BECK so moved.

{Tape : 2; Side : A; Approx. Time Counter : 179}

Motion/Vote: SEN. BECK moved TO REMOVE THE \$5 MILLION SPENDING AUTHORITY FOR THE PAXSON GALLERY BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 203}

Discussion: HB 5, International Center, UM-Missoula, Pg. 2, Line 27. CHAIRMAN MCCANN stated that the university requested that this authority be rescinded. An amendment was provided, #508. **EXHIBIT (j1h41a05)** The purpose is to cut the funding for the International Center project at UM-Missoula. There is \$1,250,000 of non general fund sources.

{Tape : 2; Side : A; Approx. Time Counter : 210}

Motion/Vote: REP. MCCANN moved TO RESCIND THE HB 5, INTERNATIONAL CENTER, UM-MISSOULA Pg. 2, Line 27 PROJECT BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 214}

Discussion: HB 5, Law Building Renovation/Expansion, UM-Missoula, Pg. 2, Line 29/30. REP. KASTEN questioned the projected cost of O&M. Hugh Jesse stated it was projected for the biennium 2005 to be \$213,000.00. SEN. TESTER questioned if that was for the entire building or the expansion. Hugh Jesse stated it was for the expansion only. REP. VICK questioned if there were any other proposals that will be moved from either this bill or other bienniums that the committee should be aware. Hugh Jesse responded. REP. VICK questioned if any of those were for new buildings. Hugh Jesse responded. REP. VICK again stated his concern for the amount of authority that has been granted previously.

Motion: REP. KASTEN moved to remove the authority on the law building expansion.

{Tape : 2; Side : A; Approx. Time Counter : 262}

Motion/Vote: REP. KASTEN moved TO REMOVE THE AUTHORITY FOR THE HB 5 LAW BUILDING RENOVATION/EXPANSION, UM-MISSOULA, Pg. 2, Line 29/30. BE ADOPTED AS AMENDED. Motion carried unanimously.

Discussion: HB 5, School of Journalism, Pg. 3, Line 1. SEN. BECK questioned if the state would be responsible for the O&M. Hugh Jesse responded.

Motion: REP. VICK moved to remove that authority.

Motion/Vote: REP. VICK moved TO REMOVE THE AUTHORITY FOR THE HB 5, SCHOOL OF JOURNALISM BUILDING, Pg. 3, Line 1. BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 286}

Discussion: HB 5, Construct Applied Technology Center, MSU Northern, Pg. 3, Line 3, it will be bypassed here and discussed in HB 14. SEN. BECK had some questions which were responded to by Alex Kampterville and Bob Lashaway who discussed the size and plan of the building.

{Tape : 2; Side : A; Approx. Time Counter : 375}

Discussion: HB 5, DNRC Libby Expansion, Pg. 3, Line 5-6. **REP. VICK** had a comment on the project.

{Tape : 2; Side : A; Approx. Time Counter : 392}

Discussion: HB 5, Licensure Compliance, MMHNCC, Pg. 3, Line 8. MMHNCC translates to Montana Mental Health Nursing Care Center in Lewistown, formerly the Center for the Aged. **Jim Whaley** provided information.

{Tape : 2; Side : A; Approx. Time Counter : 416}

Discussion: HB 5, Paving & Improvements at Eastmont, Pg. 3, Line 9/10. There is a possibility that Eastmont might close; **SEN. BECK** suggested that contingency language be included something to the effect that "in the event Eastmont is sold or something to be done different than this, it would not continue as a project".

Motion/Vote: **SEN. BECK** moved to **INCLUDE CONTINGENCY LANGUAGE THAT IN THE EVENT THAT THERE IS A CLOSURE OF EASTMONT THAT THESE DOLLARS DO NOT GO FORWARD BE ADOPTED AS AMENDED. Motion passed unanimously.**

{Tape : 2; Side : A; Approx. Time Counter : 512}

Discussion: HB 5, Glendive Montana Veterans' Home Improvements, Pg. 3, Line 10/11. An amendment was provided, #506. **EXHIBIT(jlh41a06)** The purpose of this amendment is in regards to the construction of loading dock and trash collection station at the receiving area at Montana Veteran's Home is not needed. The reduction of \$58,000 is therefore being requested.

Motion/Vote: **SEN. TESTER** moved to **ADOPT AMENDMENT #506 BE ADOPTED AS AMENDED. Motion carried unanimously.**

Discussion: HB 5, Department of Transportation Construct Equipment Storage Buildings, Pg. 3, Lines 18/19/20. **REP. VICK** questioned the effect of gas tax revenue being down and if it would effect this project. **John Blacker, Maintenance Administrator for Department of Transportation,** responded. **Jane Hamman** clarified further. **REP. VICK** questioned if there had been an amendment to strike lines 27/28, HB 5, New Female Dormitory Wing at Boot Camp, TSCTC. Refer to Amendment #501, **EXHIBIT 1.**

{Tape : 2; Side : B; Approx. Time Counter : 59}

Motion/Vote: REP. VICK moved TO STRIKE LINES 27 AND 28 ON PAGE 3 OF HB 5. BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 2; Side : B; Approx. Time Counter : 77}

CHAIRMAN MCCANN discussed a component that needed to be added in to HB 5 regarding the PBS digital conversion licensure issue within the University System; it was decided to address this amendment when reviewing HB 14. **EXHIBIT(jlh41a07)** #1403

{Tape : 2; Side : B; Approx. Time Counter : 84-228}

Discussion: HB 5, **CHAIRMAN MCCANN** informed the committee that Lines 1-15, Pg. 4, are additional projects or maintenance issues, that if, in fact, the revenues were available within HB 5, then these issues could be addressed. As it stands right now, there is not enough revenue in HB 5 to address these projects, unless we approve amendment #1403. **EXHIBIT (7)**. The purpose of this amendment is to provide a deferred maintenance cash program of \$7 million per biennium.

{Tape : 2; Side : B; Approx. Time Counter : 231}

Discussion: HB 5, Hazardous Material Mitigation, Statewide, Page 4, Line 5. **SEN. BECK** had questions on this project. **Jim Whaley, A&E**, responded.

Discussion: HB 5, Roof Replacements or Repairs, Statewide, Pg. 4, Line 6. **CHAIRMAN MCCANN** questioned if these projects were identified. **Jim Whaley, A&E**, responded. **SEN. TESTER** stated his concern in funding this project. **Jim Whaley, A&E**, clarified how the funds would be spent. **REP. KASTEN** stated that this would be good to use for maintenance and would eliminate future deferred maintenance.

{Tape : 2; Side : B; Approx. Time Counter : 287}

Discussion: HB 5, Project Litigation Fund, Pg. 4, Line 7. **CHAIRMAN MCCANN** questioned the purpose and need of this funding. **Tom O'Connell, A&E**, responded.

{Tape : 2; Side : B; Approx. Time Counter : 326}

Discussion HB 5, Montana Universities & Colleges Code Compliance/Deferred, Pg. 4, Lines 8/9. **Tom O'Connell, A&E**, provided the background on funding and **Jim Whaley, A&E**, also responded.

Discussion: HB 5, DNRC SWLO Missoula Unit Improvements, Pg. 4, Line 11/12. **Jim Whaley, A&E**, stated that this project is their number two priority and provided background on the project. **SEN. BECK** had comments and questions.

{Tape : 2; Side : B; Approx. Time Counter : 381}

Discussion: HB 5, DPHHS Paving & Improvements at Eastmont, Pg. 4, Line 13/14. **Jim Whaley, A&E**, provided background on the project and that it may need some contingency language or could be reduced. **CHAIRMAN MCCANN** stated this would be a good time for the committee to address the different projects for Eastmont. **SEN. BECK** requested that this be left open until the committee goes through HB 14. **CHAIRMAN MCCANN** asked if he did not want to move the amendment until they go to HB 14. **SEN. BECK** said they could move the amendment, but add this in there at this time, but to still have the opportunity to come back to amend the amendment.

Motion: **REP. KASTEN** moved the amendment.

Discussion: **REP. VICK** questioned which amendment. **Jane Hamman** clarified which bill it should be attached to. The committee decided it was best to take out items now before going on to HB 14; they would then have a better idea of the amount of funding available.

SEN. BECK proposed the following: 1) Life Safety: keep. 2) Hazardous Material Mitigation, Statewide: cut in half. 3) Roof Replacements or Repairs, Statewide: eliminate. 4) Project Litigation Fund: eliminate. 5) University Code Compliance/Deferred: cut in half. 6) DNRC SWLO Missoula Unit: eliminate. 7) DPHHS Paving & Improvements Eastmont: eliminate.

SEN. TESTER agreed. **REP. VICK** not comfortable with eliminating the roof replacements. **SEN. TESTER** questioned funding for roof repairs.

{Tape : 3; Side : A; Approx. Time Counter : 0}

Tom O'Connell, A&E, responded that in an earlier session this committee came up with this program. **REP. KASTEN** questioned if this is the area that energy efficiency should also be addressed. **Tom O'Connell, A&E**, responded.

{Tape : 3; Side : A; Approx. Time Counter : 29}

CHAIRMAN MCCANN brought the committee up-to-date on the amount of funds cut out if all of **SEN. BECK'S** recommendations were followed:

\$1.5 million. **REP. VICK** still concerned about roofs. **REP. KASTEN** recommended changing line 6 to \$200,000.00. **SEN. TESTER** agreed. **REP. VICK** no need to add more, just to keep as is. **REP. KASTEN** agreed with **REP. VICK**. **SEN. BECK** questioned if A&E could get by with \$300,000.00. **Tom O'Connell, A&E**, responded. This would be a \$1.478 million in reduction in these projects. **REP. VICK** had further questions. **Tom O'Connell, A&E**, responded.

{Tape : 3; Side : A; Approx. Time Counter : 127}

CHAIRMAN MCCANN explained to the committee and the audience that the committee was discussing projects that previously were not discussed because there was no revenue available to even consider them. The committee does want to recognize the importance of deferred maintenance. What has happened here today is that they increased the debt service per year to \$750,000.00 from the General Funds to GO Bonds; which is a rough total of \$1.5 million.

CHAIRMAN MCCANN further stated that the committee's intention should be to reach over to HB 14, amendment #1403 **EXHIBIT 7**, and reduce the obligation from the cash account to the general fund by \$1.5 million. In doing so, they would address the deferred maintenance issues. Adjustments can be made later since the bill will be held open for now. **SEN. BECK** would move that each one would be \$750,000.00.

Motion/Vote: **SEN. BECK** moved that **EACH ONE BE ADJUSTED TO \$750,000.00 BE ADOPTED AS AMENDED. Motion carried unanimously.**

Motion/Vote: **SEN. BECK** moved that 1) **LIFE SAFETY PROJECTS-STATEWIDE: \$300,000.00;** 2) **HAZARDOUS MATERIAL MITIGATION, STATEWIDE: \$500,000.00;** 3) **ROOF REPLACEMENTS OR REPAIRS-STATEWIDE: \$150,000.00;** 4) **PROJECT LITIGATION FUND: ELIMINATE;** 5) **CODE COMPLIANCE/DEFERRED: \$550,000.00;** 6) **DNRC SWLO MISSOULA UNIT IMPROVEMENTS: ELIMINATE;** 7) **PAVING & IMPROVEMENTS AT EASTMONT: ELIMINATE. BE ADOPTED AS AMENDED. Motion carried unanimously.**

CHAIRMAN MCCANN stated that the committee will have to reconvene this evening at 5:00pm in Room 102 to complete the bills.

{Tape : 3; Side : A; Approx. Time Counter : 185}

Discussion: HB 5, Land Acquisition Appropriations, Pg. 4, Line 17. **REP. VICK** questioned how they decide which lands to purchase; types of easements. **Paul Sihler, Administrator - Field Services Division of Fish, Wildlife and Parks (FWP)**, discussed the conservation easements and provided a handout entitled "Comparison of Term and Perpetual Conservation Easements. **EXHIBIT(jlh41a08)** **SEN. BECK**

questioned about funding and other sources. He also mentioned the use of funds out of the Clark Fork Rehabilitation Fund to buy land that did not fall under the criteria and his concern that this could happen again. **REP. Vick** questioned the funding source and if there will be more available with license fees being raised. **Paul Sihler and Dave Mott, FWP**, responded. **CHAIRMAN MCCANN** stated his concern for the perpetuity conservation programs and the concerns of Montanans who might be effected adversely by signing on to the program. He would like to see more term easements that have a limited time. **SEN. TESTER** questioned how they determined the term rate. **Paul Sihler, FWP**, responded. **CHAIRMAN MCCANN** stated he would consider drawing up an amendment to pay more on the term easements and give Montanans a better choice between the two types of easements. **Paul Sihler, FWP**, also provided a copy of the Fish and Wildlife Service easement. **EXHIBIT(jlh41a09)** He compared the process that FWP follows for their easements.

{Tape : 3; Side : B; Approx. Time Counter : 0}

SEN. TESTER discussed the pros and cons of the types of easements. **CHAIRMAN MCCANN** stated that he will draw up the amendment to increase the term easement so that Montanans can have a choice financially between the two.

Discussion: HB 5, Section 4. Dam. Pg. 4, Lines 25-30. **REP. VICK** questioned the location of Bearpaw. **CHAIRMAN MCCANN** responded.

Discussion: HB 5, Section 5. Capital Improvements, Pg. 5, Line 6 & 7. **REP. VICK** questioned the difference and weed control funding source. **SEN. BECK** questioned if they could put more in to the maintenance than establishing new sites and what is the process of the two. **Jeff Hagener, Director, FWP**, responded. **REP. VICK** questioned the funding sources. **Dave Mott, FWP**, responded.

Discussion: HB 5, Future Fisheries, Pg. 5, Line 10. **SEN BECK** questioned what was covered under this project. **Jeff Hagener, Director, FWP**, responded.

{Tape : 3; Side : B; Approx. Time Counter : 112}

Discussion: HB 5, Waterfowl Stamp Program, Pg. 5, Line 13. An amendment was provided, #503. **EXHIBIT(jlh41a10)** This involved changing some dollar amounts and wording should SB 238 not be passed. **Brian McCullough, LFD**, discussed the effects of this amendment. **Jeff Hagener, Director, FWP**, responded.

Motion/Vote: **SEN. BECK** moved **THAT AMENDMENT #503 BE ADOPTED AS AMENDED**. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 143}

Discussion: HB 5, Upland Game Bird Program, Pg. 5, Line 14. **SEN. BECK** questioned what the program covered. **Jeff Hagener, Director, FWP**, responded.

THE COMMITTEE ADJOURNED UNTIL 5:00PM THIS EVENING.

{Tape : 3; Side : B; Approx. Time Counter : 195}

EXECUTIVE ACTION ON HB 5 CONTINUED

CHAIRMAN MCCANN re-opened the Executive Action on HB 5.

Discussion: HB 5, CARA-Wildlife, Pg. 5, Line 15. An amendment was provided, #504. **EXHIBIT(jlh41a11) Brian McCullough, LFD**, explained the amendment. The purpose is to reduce HB 5 to reflect available federal revenue to FWP. **Jeff Hagener, Director, FWP**, provided background information and use of funding. The committee discussed the amendment further.

Motion/Vote: **SEN. BECK** moved that **AMENDMENT #504 BE ADOPTED AS AMENDED**. Motion carried unanimously.

Discussion: HB 5, Cultural and Historic Parks, Pg. 5, Line 16. **SEN. TESTER** provided an amendment, #511. **EXHIBIT(jlh41a12) Brian McCullough, LFD**, explained the purpose of the amendment. **Jeff Hagener, Director, FWP**, explained the funding.

{Tape : 3; Side : B; Approx. Time Counter : 277}

Motion/Vote: **REP. VICK** moved that **AMENDMENT #511 BE ADOPTED AS AMENDED**. Motion carried unanimously.

A second amendment was provided, #505. **EXHIBIT(jlh41a13) Brian McCullough, LFD**, provided some background. The purpose of the amendment would reduce the amount by a total of \$545,000.00. The reduction is due to \$500,000 of statutory bed tax and \$45,000 private funds that are non-budgeted. **REP. VICK** and **REP. TESTER** had questions; **Brian McCullough, LFD**, responded. **CHAIRMAN MCCANN** informed the funding total to **Jeff Hagener, Director, FWP**.

Motion/Vote: **REP. KASTEN** moved **THAT AMENDMENT #505 BE ADOPTED AS AMENDED**. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 330}

A third amendment was provided, #502, **EXHIBIT(jlh41a14) Brian McCullough, LFD**, explained the purpose of this amendment and how it was related to HB 132. **Jeff Hagener, Director, FWP**, explained HB 132 and the funding. **REP. KASTEN** questioned lines 18 and 19. **Jeff Hagener, Director, FWP**, responded.

Motion/Vote: **SEN. KEENAN** moved **THAT AMENDMENT #502 BE ADOPTED AS AMENDED**. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 390}

Discussion: HB 5, Lewis and Clark Bicentennial, Pg. 5, Line 21. **Jane Hamman** provided background information on the funding. **Brian McCullough, LFD**, explained further the need for an amendment.

Motion: **REP. KASTEN** moved to strike "general fund" and replace it with "bed tax".

Discussion: **SEN. TESTER** asked if Wallop-Breaux funds could be used. **Jeff Hagener, Director, FWP**, responded.

{Tape : 3; Side : B; Approx. Time Counter : 431}

Motion/Vote: **REP. KASTEN** moved that **ALL LEWIS & CLARK BICENTENNIAL, LINE 21, BE FUNDED WITH BED TAX REVENUES BE ADOPTED AS AMENDED**. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 443}

Discussion: HB 5, Federal Trails Grants, Pg. 5, Line 25; and OHV Trails Grants, Pg. 5, Line 26. **SEN. BECK** questioned if these funds could be used for the Lewis & Clark Bicentennial. **Doug Monger, FWP Administrator of Parks Division**, responded.

{Tape : 3; Side : B; Approx. Time Counter : 493}

SEN. TESTER questioned if the Committee Bill in the Senate Fish & Game that deals with motor boat fees for law enforcement on bodies of water is reflected in this grant and are there any funds that have been reviewed that could be used for the Lewis & Clark Bicentennial. **Jeff Hagener, Director, FWP**, responded.

{Tape : 4; Side : A; Approx. Time Counter : 0}

Discussion: **CHAIRMAN MCCANN** stated that Fish, Wildlife and Parks would like some direction regarding Makoshika Park and the authority they were given to purchase private mineral owners'

mineral rights. They have made every effort to do so and would like to use the remaining authority left over to purchase the County's mineral rights. **Jeff Hagener, Director, FWP**, provided the history and background on the purchasing of mineral rights. **SEN. BECK** questioned the price. **Jeff Hagener, Director, FWP**, stated it was \$25,000.00 per section for surface and mineral rights and there were seven sections within the park. **CHAIRMAN MCCANN** questioned the amount of authority left, if the price included the land and if that was a reasonable price. **SEN. TESTER** questioned the type of land. **SEN. BECK** questioned leasing. **REP. KASTEN** questioned how many acres within the park were owned privately. **Jeff Hagener, Director, FWP** responded. **CHAIRMAN MCCANN** stated the committee would hold this decision off until the next meeting.

Discussion: HB 5, Maintenance, Repair, and Small Projects, Statewide, Pg. 6 lines 12/13. An amendment was provided, #507. **EXHIBIT(jlh41a15)** The purpose of this amendment is to reflect a reduction due to lower gas tax revenues. **Brian McCullough, LFD**, provided further information. This was done out of sequence, the committee will go back in sequence after this.

Motion/Vote: **SEN. TESTER** moved that **AMENDMENT #507 BE ADOPTED AS AMENDED**. Motion carried unanimously.

Discussion: HB 5, Federal Spending Authority, Pg. 6, Line 2. **Jane Hamman** stated this was for Military Affairs. **Tom O'Connell, A&E**, provided more detail information. **SEN. BECK** questioned the amount of authority the last session. **Tom O'Connell, A&E**, responded.

{Tape : 4; Side : A; Approx. Time Counter : 113}

Discussion: HB 5, Grant Projects, All Campuses, Pg. 6, line 6 and ADA Code/Deferred Maintenance, Pg. 6, line 7. **Hugh Jesse, University**, provided background information.

Discussion: Clean-up amendments are needed. **Brian McCullough, LFD**, provided information for amendment #527. **EXHIBIT(jlh41a16)** The purpose of this amendment is due to the elimination of cigarette tax increase as a source of funding for this program, these lines are no longer needed.

Motion/Vote: **SEN. BECK** moved that **AMENDMENT #527 BE ADOPTED AS AMENDED**. Motion carried unanimously.

EXECUTIVE ACTION ON HB 14 AND HB 5 JOINT PROJECTS

CHAIRMAN MCCANN then reviewed the projects that are in both HB 5 and HB 14.

{Tape : 4; Side : A; Approx. Time Counter : 170-488}

Discussion: HB 14, Construct New Armory, Dillon, Pg. 2, Line 4.

REP. KASTEN questioned the property it would be built on.

CHAIRMAN MCCANN stated it would be land owned by the state. **SEN.**

TESTER questioned the bond funding amount, G. O. bonds and who responsible for O&M. **CHAIRMAN MCCANN** responded and that the

state had 100% responsibility for the O&M. **REP. KASTEN** asked for

a figure on the O&M. **Ralph DeCunzo, Military Affairs**, provided

the increased amount. **SEN. BECK** questioned what page the project

was on and if there was an amendment; **CHAIRMAN MCCANN** informed

him and stated that he just had to agree to the project. **REP.**

KASTEN stated he would vote against the project; **CHAIRMAN MCCANN**

informed him if he wanted to do something otherwise, other than

vote against the project, he could make an amendment. One way to

approach this is to make motions now to amend this bill or wait

until Wednesday when they have the final debt service from the general fund.

Motion: **REP. KASTEN** moved that Military Affairs be responsible

for the O&M. **Ralph DeCunzo, Military Affairs**, stated that

\$362,000.00 in deferred maintenance would be eliminated and the

\$13,000.00 additional maintenance is an estimate. **SEN. BECK**

explained how the Military Affairs cannot raise extra funding

like the university system. **REP. KASTEN** questioned the increase

of \$13,000.00 and what would the annual O&M be. **Ralph DeCunzo,**

Military Affairs, stated the current annual O&M for the facility

is \$11,698.00; the \$13,000.00 would be in addition to that, which

is just an estimate. **SEN. BECK** questioned the new building being

more energy efficient. **Ralph DeCunzo, Military Affairs**, stated

that energy costs should be lower and that this new facility will

be much larger than the old one. **REP. VICK** questioned how many

more armories will be built. **Ralph DeCunzo** responded probably

one to two per session. **REP. VICK** stated his concern on the

replacement cost of the building. **Ralph DeCunzo, Military**

Affairs, provided further background, future plans and federal

funds requiring a matching amount. **CHAIRMAN MCCANN** questioned

what alternatives they had if the committee did not provide the

funding. **Ralph DeCunzo, Military Affairs**, stated they could

either demolish or work out a transfer with the Department of

Transportation. **CHAIRMAN MCCANN** asked the committee of their

intent to deal with that building and in the event they want to

do something different with the old armory they can use

contingency language. **REP. VICK** stated that transferring to another government agency is favorable, but would like to see that the private sector be included in having the opportunity to buy the building if it is decided to sell the building. **CHAIRMAN MCCANN** questioned if there was an appraised value for Dillon and what the process is for the private sector to participate in buying the property. **Ralph DeCunzo, Military Affairs**, responded. **REP. KASTEN** questioned that if the building did go to the Department of Transportation, would the deferred maintenance costs go along with it. **Ralph DeCunzo, Military Affairs**, stated that their needs for the facility for maintenance would be higher because of training people, whereas the Department of Transportation would be using the building for equipment storage and probably less maintenance cost.

{Tape : 4; Side : A; Approx. Time Counter : 489}

Motion/Vote: **REP. KASTEN** moved that **THE DEPARTMENT OF MILITARY AFFAIRS PAY FOR THE O&M AT THE HB 14, CONSTRUCT NEW ARMORY, DILLON, PG. 2 LINES4. BE ADOPTED AS AMENDED.** Motion carried 4-2 with Beck and Tester voting no.

{Tape : 4; Side : A; Approx. Time Counter : 509}

CHAIRMAN MCCANN provided two amendments for the PBS digital conversion, #1401 and #509.

{Tape : 4; Side : B; Approx. Time Counter : 0}

Amendment #1401 consists of two pages and Amendment #509 consists of one page. **EXHIBIT(jlh41a17)** **Brian McCullough, LFD**, explained the purpose and effect of these amendments. **REP. KEENAN** questioned the "plant funds". **Rod Sunstead, Associate Commissioner of Fiscal Affairs**, responded. **CHAIRMAN MCCANN** stated that the amendment used generic wording. **Rod Sunstead** stated the importance of having the wording in the amendment so that should they receive federal funds, they would be placed in the "plant funds" for use. **REP. KEENAN** questioned the definition of a long-lived asset. **Rod Sunstead** responded. **REP. KASTEN** questioned where the digitals would be installed. **Jack Hyypa, Station Manager, Montana PBS, MSU**, responded. **REP. TESTER** questioned that the funding was for two locations, yet only one listed. **Jane Hamman** responded. **REP. KEENAN** questioned when would be the next upgrade and cost. **William Marcus, Station Manager KUFM, Missoula**, explained the two phase project and timelines; also the need for matching funds to maintain their license. **CHAIRMAN MCCANN** stated that this funding will be for them to maintain their license; that the license has a definite worth

that would be hard to obtain once lost. **SEN. KEENAN** questioned what would happen if they did not digitize. **William Marcus, Station Manager KUFM, Missoula**, responded. **REP. VICK** questioned how the operation would be changed once they are digital and what programs they offer that are not on other channels like A&E, Discovery, History, etc. **SEN. BECK** questioned the number of hours per day. **William Marcus, Station Manager KUFM, Missoula**, responded.

Motion: **SEN. KEENAN** moved the two amendments #1401 and #509. **SEN. TESTER** questioned.

Discussion: **SEN. BECK** stated his concern for the additional \$2 million on the bonding program and what would the cost be on the general funds. He will support this for now, but if the general funds is being extended too far, then this will be the first one to be cut. **CHAIRMAN MCCANN** asked what would be the results if the committee did not fund this in this biennium. **William Marcus, Station Manager KUFM, Missoula**, responded. **SEN. BECK** questioned if they were asking large corporations within the state for funds. **REP. VICK** commented on the federal requirements to meet this and yet not providing the funding to meet their deadlines.

{Tape : 4; Side : B; Approx. Time Counter : 309}

Motion/Vote: **SEN. KEENAN** moved that **AMENDMENT #1401 BE ADOPTED AS AMENDED**. Motion carried 5-1 with Kasten voting no.

{Tape : 4; Side : B; Approx. Time Counter : 313}

Motion/Vote: **SEN. KEENAN** moved that **AMENDMENT #509 BE ADOPTED AS AMENDED**. Motion carried 5-1 with Kasten voting no.

{Tape : 4; Side : B; Approx. Time Counter : 325}

CHAIRMAN MCCANN stated he would not accept a motion to pass HB 5; it will remain open. The committee will now go on to projects within HB 14.

EXECUTIVE ACTION ON HB 14

Brian McCullough, LFD, discussed amendment #1402 which would cut the projects to construct a new DPHHS building in Helena and the new Job Service Office in Missoula. **EXHIBIT(jlh41a18)**

{Tape : 4; Side : B; Approx. Time Counter : 352}

Motion/Vote: SEN. KEENAN moved TO ADOPT AMENDMENT #1402 BE ADOPTED AS AMENDED. Motion carried unanimously.

Discussion: HB 14, Construct Central Reception Unit, Pg. 1, Line 29. An amendment was provided, #1408 to bring in \$1 million federal dollars. **EXHIBIT(jlh41a19)**

{Tape : 4; Side : B; Approx. Time Counter : 383}

Motion/Vote: SEN. BECK moved TO ADOPT #1408 BE ADOPTED AS AMENDED. Motion carried unanimously.

{Tape : 4; Side : B; Approx. Time Counter : 397}

CHAIRMAN MCCANN had an amendment for the Central Reception Unit debt service to be taken out of the Corrections base budget. He further stated to keep in mind that future legislatures could come back and address the deficits. **SEN. BECK** questioned what the general fund payback would be per year. **D. J. Whitaker, Department of Administration,** responded. **SEN. BECK** discussed his concerns for the Corrections budget. **REP. VICK** questioned if taking out the component of the X Building would give them an increase. **SEN. BECK** discussed all the funds taken out of the Corrections budget. **Chuck Swysgood, Director of OBPP,** provided the amounts taken out of the Corrections budget and other funding. **SEN. BECK** questioned the director if the budget could absorb another \$4.5 million. **Chuck Swysgood, director of OBPP,** suggested that if the agency was to be responsible for the debt service on the building, that he suggest the building not be built. **SEN. TESTER** recommended we continue with the bill and come back. **SEN. BECK** said he would like to leave the debt service under the general funds. **SEN. TESTER** stated we could move it out now and bring back later or leave it in and come back later to decide. **CHAIRMAN MCCANN** stated that if there were no motions it would be left here for now.

Motion: SEN. KEENAN said he would move to strike it out for now and further explained his position.

Discussion: SEN. BECK defended the program. SEN. TESTER stated he was going to vote with the motion and reminded the committee that if there is money at the end, they can put it back in, same as in HB 5.

{Tape : 5; Side : A; Approx. Time Counter : 93}

Motion/Vote: SEN. KEENAN moved TO STRIKE OUT LINES 28/29/30, HB 14, DEPARTMENT OF CORRECTIONS, CONSTRUCT CENTRAL RECEPTION UNIT, MSP, DEER LODGE, PG. 1. Motion carried 5-1 with Beck voting no.

Discussion: HB 14, Renovate Chemistry Building, Pg. 2, Line 6. An amendment was provided, #1405. **EXHIBIT (j1h41a20)** The purpose of this amendment is to strike the Science Complex and expand the renovation of the Chemistry Building to include four additional labs and space for two lab shells that could be completed later, perhaps with research funds. Striking the Science Complex project from the bill saves \$3,286,000.00. The new labs will cost \$3,100,000.00 for a net savings of \$186,000.00 in HB 14. **Jim Whaley, A&E**, provided background on the effect of this amendment.

Motion: REP. KASTEN moved to adopt amendment #1405.

Discussion: REP. VICK asked about the expansion. **Jim Whaley, A&E**, responded. **SEN. BECK AND REP. VICK** had further questions. **Jim Whaley & Hugh Jesse** responded.

Motion Withdrawn: REP. KASTEN withdrew his motion on amendment #1405, **EXHIBIT 20**. No action taken at this time.

{Tape : 5; Side : A; Approx. Time Counter : 232}

Discussion: HB 14, Renovate Liberal Arts, Life Safety/Deferred Maintenance, MSU-Billings, Pg. 2, Lines 8/9.

Motion: SEN. BECK moved to strike lines 8 and 9.

Discussion: **Bob Lashaway, Facilities Services Director, MSU-Bozeman**, described in detail the project. **SEN. BECK** questioned where it ranked on the priority list. **Bob Lashaway** responded.

Motion Withdrawn: SEN. BECK withdrew his motion.

Discussion: **CHAIRMAN MCCANN** questioned the ranking and why not an issue sooner. **Bob Lashaway** responded. No action taken at this time.

{Tape : 5; Side : A; Approx. Time Counter : 313}

Discussion: HB 14, Replace HVAC, Phase II, Science Complex, UM-Missoula, Pg. 2, Lines 10/11.

Motion: **CHAIRMAN MCCANN** moved to strike these out and stated his reasons for the motion.

Discussion: Jim Whaley, A&E, provided information on the asbestos level. CHAIRMAN MCCANN added that those funds would be better spent in another project. SEN. BECK questioned.

{Tape : 5; Side : A; Approx. Time Counter : 354}

Motion/Vote: REP. MCCANN moved TO STRIKE LINES 10 AND 11, HB 14, REPLACE HVAC, PHASE II, SCIENCE COMPLEX, UM-MISSOULA, PG. 2, FROM HB 14 BE ADOPTED AS AMENDED. Motion carried unanimously.

Discussion: HB 14, Expand College of Technology, UM-COT, Helena, Pg. 2, Line 15/16. An amendment was provided, #1407 to strike out lines 15 and 16. EXHIBIT(jlh41a21)

Motion: REP. VICK motioned to strike out lines 15 and 16.

Discussion: CHAIRMAN MCCANN informed the committee that if they pass the amendment that there is a supplemental amendment that should be considered that would effect the needs of the college because this project came in without all the required paperwork done for this proposal. SEN. KEENAN questioned further.

CHAIRMAN MCCANN stated that there is another \$85,000.00 in another amendment to study the proposal. SEN. TESTER stated that if we take it out we need to evaluate where we are; that this was a decent proposal and a definite need. SEN. KEENAN stated he was going to try to visit the site. REP. VICK questioned how this will effect the general funds and is this the time to be doing this or should we be concentrating on the deferred maintenance.

{Tape : 5; Side : A; Approx. Time Counter : 439}

Motion/Vote: REP. VICK moved that TO STRIKE OUT LINES 15 AND 16, HB 14, EXPAND COLLEGE OF TECHNOLOGY, UM-COT, HELENA, PG. 2, BE ADOPTED AS AMENDED. Motion carried 4-2 with Beck and Tester voting no.

{Tape : 5; Side : A; Approx. Time Counter : 448}

Discussion: HB 14, Upgrade HVAC Systems, Cowan Hall, MSU-Northern, Pg. 2, Lines 17/18. Bob Lashaway, Facilities Services Director, MSU-Bozeman, provided background information. SEN. BECK questioned the priority on the list. Bob Lashaway stated it was #8.

Motion: SEN. BECK moved to remove the project.

Discussion: CHAIRMAN MCCANN stated we would address the amendment conceptually to remove lines 17 and 18. REP. KASTEN questioned.

{Tape : 5; Side : B; Approx. Time Counter : 0}

SEN. TESTER discussed the importance of addressing the deferred maintenance projects. CHAIRMAN MCCANN suggested to SEN. BECK that it might help if they jump down to the Applied Technology Center, MSU-Northern versus the HVAC System in Cowan Hall and that he felt that the HVAC was more important at this time than MSU-Northern.

Motion Withdrawn: SEN. BECK WITHDREW his motion. No action was taken at this time.

Discussion: CHAIRMAN MCCANN stated they want to reinforce their dedication to the renovation of the basic infrastructure to those campuses versus new additions.

{Tape : 5; Side : B; Approx. Time Counter : 18}

Discussion: HB 14, Construct Applied Technology Center, MSU-Northern, Pg. 2, Lines 19 and 20.

Motion: REP. VICK moved on an amendment, #1409, to strike lines 19 and 20. EXHIBIT(jlh41a22) The purpose of this amendment is to cut the construction project for the Applied Technology Center, MSU Northern from HB 14. SEN. BECK questioned.

Discussion: SEN. TESTER commented on the importance of the school and the need for this program, it provides good salaries for the students, it is a necessary program for both Northern and Eastern Montana. SEN. BECK commented that so are other places and projects. SEN. TESTER stated he doesn't want to pit project against project and that these priorities should have been set in the last session; that the first 20 projects would be addressing deferred maintenance and not consider any building projects until the deferred maintenance was handled. And with the effects of the energy crisis that has evolved since then; that our recommendation for the next Long Range Committee should be that deferred maintenance be the top 20; make a list and not touch anything else until these are handled. CHAIRMAN MCCANN stated that once all the cards are shown, he will remain with the integrity of the committee, and that is that they have taken it upon themselves to go back and use general fund, service the bond, place cash in the maintenance program, struck several projects and he will work in the same manner to hold the

integrity of the committee together. He does want to go with the Northern project because it is in his community and it bothers him if he has to vote no.

{Tape : 5; Side : B; Approx. Time Counter : 94}

Motion/Vote: REP. VICK moved that **AMENDMENT #1409 BE ADOPTED AS AMENDED**. Motion carried 5-1 with Tester voting no.

{Tape : 5; Side : B; Approx. Time Counter : 99}

Discussion: CHAIRMAN MCCANN provided two more amendments. The first amendment is #513, the Study to Expand the College of Technology. **EXHIBIT(jlh41a23)** The purpose of this amendment is to provide funding to develop a plan for expanding the UM COT of Helena.

Motion/Vote: SEN. BECK moved that **AMENDMENT #513 BE ADOPTED AS AMENDED**. Motion carried unanimously.

Discussion: REP. VICK mentioned the amendment #1403, **EXHIBIT 7**, in HB 5 is to be included in HB 14. Brian McCullough, LFD, provided some background. SEN. VICK and SEN. BECK stated that it also needs to be addressed in HB 14 now that it is open.

{Tape : 5; Side : B; Approx. Time Counter : 139}

Motion/Vote: SEN. BECK moved that **THE AMENDMENT #1403 BE AMENDED TO STRIKE OUT THE \$1.5 MILLION AND INSERTING \$750,000.00 IN THE TWO LOCATIONS BE ADOPTED AS AMENDED**. Motion carried unanimously.

Discussion: SEN. TESTER questioned when the committee would see the new running totals. CHAIRMAN MCCANN stated it would be Wednesday. SEN. TESTER since eliminated the projects on lines 10 and 11 that the University requested \$500,000.00 for temporary class rooms and was that included in the in the \$6,350,000.00. Hugh Jesse, University, responded. CHAIRMAN MCCANN asked SEN. TESTER if it would be OK that he have Brian McCullough come back with that figure on Wednesday. SEN. TESTER agreed.

CHAIRMAN MCCANN provided the second amendment #1406 to fund the Agricultural Experiment Station. **EXHIBIT(jlh41a24)** Jane Hamman stated that the amendment does not mention federal, but that they could add that wording to amendment #1406. CHAIRMAN MCCANN agreed. The committee was provided with a document entitled "Evaluation and Ranking of Needs at Department of Agriculture - Agricultural Experiment Stations". **EXHIBIT(jlh41a25)** The items that have a check mark have received scrutiny and approval, and

those not checked are unfunded. **REP. VICK** questioned the amount of bonding and if it was construction only and the amendment language restricts the project to construction only. **CHAIRMAN MCCANN** reviewed the projects. **Tom O'Connell, A&E**, provided input on the amendment. **SEN. TESTER** suggested adding the projects in the language in the bill. **REP. VICK** requested **Sharon Quisenberry, Dean/Director, College of Agriculture** to provide background. **REP. VICK** questioned if it would be acceptable to put each project in the bill. **Dean Quisenberry** agreed with that suggestion. **Tom O'Connell, A&E**, stated that if the projects were listed by location with a dollar amount rather than each individual one listed, it would give him latitude in working with incoming bids. **CHAIRMAN MCCANN** stated that they should include federal dollars to be inserted in the amendment in case federal dollars do come in for the project. **SEN. BECK** questioned if something would be out there that could be sold and if it was in the hands of the state or research stations. **Dean Quisenberry** responded. **CHAIRMAN MCCANN** requested that **Brian McCullough** and **Jane Hamman** work on the amendment wording further. **SEN. BECK** would also like an appraised value to be included. **Dean Quisenberry** responded. **REP. VICK** stated he would be more comfortable if the language was clarified before executive action.

CHAIRMAN MCCANN asked if there was further consideration for HB 14 for this evening. The committee will meet again on Wednesday at 5:00pm in Room 102.

{Tape : 5; Side : B; Approx. Time Counter : 420}

SEN. BECK brought up the subject of parking around the capitol area and the City wanting to put in a parking facility that they would run. **SEN. TESTER** said he understood that the city would build it if we furnished the land and he feels it should be pursued. **CHAIRMAN MCCANN** said we would discuss this on Wednesday. **SEN. BECK** questioned if A&E had heard any details. **Tom O'Connell** responded.

CHAIRMAN MCCANN informed the committee that the planned meeting for tomorrow, Tuesday, February 20, 2001 has been cancelled.

Meeting was adjourned.

Exhibits were presented to the committee prior to the meeting. Those exhibits are as follows:

EXHIBIT (j1h41a26) Montana State Prison Central Reception Unit,
Mike Mahoney, title?

- EXHIBIT (j1h41a27)** Bond Issuance Costs from D. J. Whitaker,
Bureau Chief, Management Support Bureau,
Department of Administration
- EXHIBIT (j1h41a28)** Helena College of Technology & MSU-Northern
Applied Technology Center Project: Deferred
Maintenance and New Buildings. Greg Jergeson
- EXHIBIT (j1h41a29)** Montana University System HB005 & HB014
Operation and Maintenance Funding-Annual Cost

ADJOURNMENT

Morning Adjournment: 11:50 A.M.

Evening Adjournment: 8:04 P.M.

REP. MATT MCCANN, Chairman

ANDREA HYATT, Secretary

MM/AH

HB 5 - 16 Exhibits (#1, #2, #3, #4, #5, #6, #8, #9, #10, #11, #12, #13, #14, #15, #16, #23)

HB 14 - 8 Exhibits (#7, #18, #19, #20, #21, #22, #24, #27)

HB 5 & HB 14 - 5 Exhibits (#17, #25, #26, #28, #29)

EXHIBIT(jlh41aad)